

SENATE BILL NO. 251

INTRODUCED BY G. HERTZ

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A BILL FOR AN ACT ENTITLED: "AN ACT TERMINATING CERTAIN VOTED MILL LEVIES UNLESS THEY ARE EXTENDED BEFORE THE TERMINATION DATE; PROVIDING THE DATE ON WHICH CERTAIN LEVIES TERMINATE; PROVIDING EXCEPTIONS TO THE TERMINATION; AMENDING SECTION 15-10-425, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 15-10-425, MCA, is amended to read:

"15-10-425. Mill levy election. (1) ~~A~~Subject to subsection (6), a county, consolidated government, incorporated city, incorporated town, school district, or other taxing entity may impose a new mill levy, increase a mill levy that is required to be submitted to the electors, or exceed the mill levy limit provided for in 15-10-420 by conducting an election as provided in this section. This section does not apply to bond elections.

(2) An election pursuant to this section must be held in accordance with Title 13, chapter 1, part 4 or 5, or Title 20 for school elections, whichever is appropriate to the taxing entity. The governing body shall pass a resolution, shall amend its self-governing charter, or must receive a petition indicating an intent to impose a new levy, increase a mill levy, or exceed the current statutory mill levy provided for in 15-10-420 on the approval of a majority of the qualified electors voting in the election. The resolution, charter amendment, or petition must include:

- (a) the specific purpose for which the additional money will be used;
- (b) either:
 - (i) the specific amount of money to be raised and the approximate number of mills to be imposed;
 - or
 - (ii) the specific number of mills to be imposed and the approximate amount of money to be raised;
- and
- (c) whether the levy is permanent or the durational limit on the levy.

